

Shervington Lovell

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The Honorable Paul G. Gardephe
United States District Court, Southern District of New York
Thurgood Marshall Courthouse
United States Court 40 Foley Square
New York, New York 10007

**Re: United States v. Shervington Lovell
18 Cr. 601 (PGG)**

Dear Judge Gardephe:

Mr. Shervington Lovell is slated to appear before Your Honor on Thursday May 20, 2021 at 12:00 PM for sentencing. The recommendation of the United States Probation Department is that Mr. Lovell be sentenced to 120 months incarceration with a period of 5 years supervised release. Mr. Lovell is hoping that Your Honor would take into consideration the circumstances laid out below and impose a sentence below the mandatory minimum.

Acceptance of Responsibility

Mr. Lovell has accepted responsibility from the moment he was arrested in Jamaica; he did challenge extradition. While Mr. Lovell was confused about jurisdiction and being extradited to the United States for an offense that was not committed in the US and had no ties to the America, he has never denied that he participated in a drug transaction. His intention, and instructions from the outset, was to arrange a plea.

While incarcerated at the MCC Mr. Lovell faced unprecedented challenges and spent a great deal of time confined to his cell for reasons that had nothing to do with him. Mr. Epstein's tragic death and the missing loaded firearm led to the facility being lockdown for several days, and in some instance, weeks at a time. Then the pandemic brought new challenges for all of us, but while we were asked to stay home, Mr. Lovell was forced into a locked cell without the ability to have visitors, exercise or make a phone call. Despite all of these restrictions, Mr. Lovell still found time to take GED classes and was awarded a Lead by Example Certificate.

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Family

Mr. Lovell has accepted responsibility for his role in this matter. He acknowledges that his participation in a drug transaction was wrong, regardless of his motivation for doing so. He also understands that his decision, and ultimate punishment, will impact his children, wife and community. The impact of his absence is immeasurable.

The individual the Government presents to the Court is a drug dealer that engages in drug dealing for profit. While Mr. Lovell did stand to gain from the transaction, that is not who he is. He is a farmer, vendor and gold miner. Mr. Lovell is a loving father of 8 children. Regardless of the circumstances of their birth, my Lovell has never tried to shirk his parental responsibilities.

The letters provided by Mr. Lovell's family and friends should give this Court a broader perspective about him and the way he lived his life. He has always been a provider and caretaker of not only his children but his wife's niece and countless others within the community. In her letter (Exhibit A), Mr. Lovell's wife, Keisha Phillips, describes their relationship and Mr. Lovell's relationship with his children. Although their relationship is not without its challenges, she speaks about him being someone that supports her, attentive to his family and his community. She gave some insight into Mr. Lovell's upbringing and the challenges he faced having to be a breadwinner at an early age. Most important, Ms. Phillips talked about how remorseful Mr. Lovell is and how he grieves the fact that his action is causing his children to suffer.

There are several other letters detailing Mr. Lovell's generosity, kindness and support for others. (Exhibit D). Although not all the letters received was included, I have attached a few for Your Honors review.

Community

Mr. Lovell is well known in his community not for drug dealing but for his kindheartedness, his willingness to assist others and for actually providing assistance, when he can, to those that are in need, particularly children. Mr. Lovell celebrated his birthday each year not by throwing elaborate parties but by gathering the children in the village and handing out much needed school supplies and assisting parents, often single mothers, with school uniform¹ so that their children can actually attend school. He uses his failure to complete high school to encourage and motivate young people to get their education.

In her letter Ms. Farley speaks about how Mr. Lovell assisted her when her sister passed away from cancer and gave her shelter when she was being abused by her partner. (Exhibit B). Mr. McKenzie speaks about being a gay man and finding employment, acceptance and a friend in Mr. Lovell. (Exhibit C) Mr. Lovell's efforts and desires to help others did not stop because he was arrested, it continue even while he was incarcerated. Mr. Lovell has been a model inmate at the MCC facility. As reported by Probation, he has "no disciplinary infractions".

Purposes of Sentencing.

The statute 18 USC 3553 (a) (2) identifies the purposes a sentence should serve. The sentence imposed should reflect the seriousness of the crime, promote respect for the law, and provide just punishment; afford adequate deterrence to criminal conduct; protect the public from

¹ In Guyana all school children are required to wear

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further crimes of the defendant; and provide the defendant with needed educational or the occasional training, medical care, or treatment in the most effective manner.

Mr. Lovell understands that this Court will impose a prison sentence in this case. I acknowledges that his conduct is deserving of punishment. He is just asking for some leniency.

Deterrence and respect for the law.

The statutory mandatory minimum or above is not needed to achieve the purposes of deterrence and to promote respect for the law. Mr. Lovell has been away from his family and is unable to receive visits from his children because their visas have been revoked. The experience of being away from his children has been devastating to Mr. Lovell. He has learned that his action does not only impact him but every member of his family, who are all suffering as a result of his absence. The suffering of his family is enough to send a clear message which Mr. Lovell received loud and clear, breaking the law is not worth it.

Post Release

Mr. Lovell has already begun planning and preparing for his release and will continue to do so for the duration of his sentence. That is why Mr. Lovell is asking Your Honor to recommend that he serve his sentence at Fort Dix Federal Correctional Facility so he can pursue vocational training in Horticulture. Mr. Lovell has a background in farming, but has never had any formal education in that field. He would love the opportunity to learn formally and prepare himself for re-entry. Mr. Lovell will likely be returning to one of the strongest economies in the world if things progress as expected. According to theglobalamericans.org, “Guyana’s economy is riding through the COVID-19 world in better shape than practically any other country on the planet.” The country has already begun to experience an influx of immigrants and Mr. Lovell believes that there will be a heavy demand for food.

Mr. Lovell is asking this Court for leniency.

Respectfully,

/s/

Eon R. Smith